

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 29, 2000

DIVISION ONE

B131117 Karbasi
v.
Hollywood Park Operating Company

Filed order denying petition for rehearing.

B134143 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Nellie A.

The orders are affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B137027 People (Not for Publication)
v.
Sanchez

The appeal is dismissed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

DIVISION ONE (Continued)

B128983 County of Los Angeles (Not for Publication)
v.
Village Development etc., et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Aragon, J. (Assigned)

B136426 Mesplou (Not for Publication)
v.
Mesplou

The order is affirmed. Eileen is awarded her costs on appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Aragon, J. (Assigned)

B139532 Pullin (Certified for Publication)
v.
Superior Court, Los Angeles County
(The Vons Companies, Inc., r.p.i.)

The petition is granted. Let a peremptory writ of mandate issue compelling
the trial court to vacate its order excluding Engdahl's testimony about his
test. Our stay order is dissolved and a new trial date should be set. Pullin
is awarded his costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

DIVISION ONE (Continued)

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The order is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

B132106	People	(Not for Publication)
	v.	
	Gukasi	
B140523	In re Gukasi on Habeas Corpus	

The great bodily injury enhancement is stricken and the matter is remanded for resentencing in accordance with the views express herein. In all other respects, the judgment is affirmed. The petition for habeas corpus is denied without prejudice.

Aragon, J. (Assigned)

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B135841 Lockheed Information Management Services Co. (Not for Publication)
v.
City of Inglewood

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B110053 The People (Not for Publication)
v.
Snyder et al.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B132155 ECC Construction, Inc. (Not for Publication)
v.
Ganson et al.

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

B128917 People (Not for Publication)
v.
McDuffy et al.

The judgments are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

June 29, 2000-Continued

DIVISION ONE (Continued)

B133996 People (Not for Publication)
v.
Tenorio et al.

The judgments are affirmed.

Aragon, J. (Assigned)

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B133075 Clark, a Minor, etc. (Not for Publication)
v.
Long Beach Unified School District

The judgment is affirmed. Ericka Clark is awarded her costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B133437 Pratch (Not for Publication)
v.
Schwallie

The judgment is affirmed. Schwallie is entitled to her costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

DIVISION ONE (Continued)

B132618 People (Not for Publication)
v.
Machado

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B131088 CBT Financial Services, Inc. (Not for Publication)
v.
Bardin

The order is affirmed. CBT is awarded is costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

B134305 Y-Axis (Not for Publication)
v.
Pillsbury Madison & Sutro et al.

The judgment is affirmed. Respondents are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

DIVISION ONE (Continued)

B134488 People (Not for Publication)
v.
Ramirez

The order dismissing the Welfare and Institutions Code section 602 petition is reversed. The case is remanded for further proceedings consistent with this opinion.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

B137958 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Nora W.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Aragon, J. (Assigned)

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Mallano, J. (Assigned) and G. Villanueva, Deputy Clerk.

Each of the following:

B134825 People v. Torres
B134616 People v. Blount
B132705 People v. Williams
B135733 People v. Morris
B129972 People v. Jimenez
B134970 In re Sara B.
B140278 Michael W. v. Superior Ct L.A.

DIVISION TWO (Continued)

Each of the following (continued):

B132141 People v. Dulaney et al.
B135310 People v. Garrett
B135351 People v. Butterfield
B131203 People v. Hernandez
B136223 People v. Manning
B130705 People v. Cadag
B134567 Torres v. Iyengar
B136010 People v. Richi C.
B132892 People v. Pouche
B135649 People v. Medina
B134674 In re Patrik K.
B137099 In the Matter of Keiwon H.
B136110 In re: Marisa V.
B137682 In re Sonia R.
B133233 In the Matter of Jesse, R., et al.

Argument waived, cause submitted.

B131040 People
 v.
 Morrison

Merits:

Argued by Margaret Dunk for appellant and by Jason Tran, deputy attorney general, for respondent. Cause submitted.

B135516 Lengacher
 v.
 Shepherd

Merits:

Argued by Carroll McCortney for appellant and by Kit Knudsen for respondent. Cause submitted.

DIVISION TWO (Continued)

B132652 Imperial Bank
v.
Goldstein

Merits:

Argued by Jay Saltsman for appellant and by Matthew Taylor for respondent. Cause submitted.

Court adjourned.

B134838 Gardner (Not for Publication)
v.
Franchise Tax Board

The order of the trial court dismissing the amended complaint is affirmed. Each party is to bear its own costs on appeal.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

B137221 People (Not for Publication)
v.
Taylor

The judgment is modified to reflect a term of 29 years to life on count 6, and a total term of 49 years to life. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

June 29, 2000-Continued

DIVISION TWO (Continued)

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The judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

B130776 People (Not for Publication)
v.
Masters

The judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

DIVISION THREE

B139373 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Alonzo W.
In re Porsche W., a minor

The appeal is dismissed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B123708 People (Not for Publication)
v.
Choi

The judgment is modified by imposing a parole revocation fine as indicated in this opinion. As modified, the judgment is affirmed. A corrected abstract of judgment shall be transmitted to the Department of Corrections.

Klein, P.J.

We concur: Kitching, J.
Schneider, J. (Assigned)

B136517 People (Not for Publication)
v.
Moreno

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B138352 People (Not for Publication)
v.
Guillermo M.

The judgment (order declaring minor a ward of the juvenile court) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (Continued)

B123085 Arteena Rubenstein (Certified for Publication)
 v.
 Alan Douglas Rubenstein

The judgment is reversed. Because this matter arises under the Family Code, the matter is remanded to the family court for further proceedings. (In re Chantal S., supra, 13 Cal.4th at p.201.) Arteena is awarded her costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B126504 Shvarts and Holtz (Certified for Publication)
 v.
 Budget Group, Inc.

The judgment (order of dismissal) is affirmed. Respondent is awarded its costs on appeal.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

B125007 Konialian and Buzad (Not for Publication)
 v.
 Thomas

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

DIVISION FOUR (Continued)

B117712 Simi Valley Adventist Hospital, et al.
v.
Diana Bonta, as Director, State of California Department of Health Services

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B136101 Hill (Not for Publication)
v.
Younger Optics et al.

The judgment in favor of defendant Sweeney is affirmed. The judgment in favor of defendants Younger Optical and Bender is reversed, and the trial court is directed to conduct further proceedings consistent with the views in this opinion. The parties shall bear their own costs on appeal.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

B118501 People (Not for Publication)
v.
Flowers et al.

The judgments are affirmed. The clerk of the superior court is directed to prepare and send to the Department of Corrections corrected abstracts of judgment reflecting the trial court's imposition of a \$5,000 restitution fine.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

B134618 People (Not for Publication)
v.
Reed

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

B136525 People v. Ergenbright (Not for Publication)

For the foregoing reasons, the judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B132808 John A. Christenson et al. (Not for Publication)
v.
Ameriquest Mortgage Company

The judgment is reversed. The judgment dismissing the second amended complaint is reversed. The trial court is directed to grant appellants leave to file a verification to the quiet title cause of action. Appellants to recover costs on appeal.

Armstrong, J.

I concur: Godoy Perez, J.
I dissent: Grignon, Acting P.J. (Opinion)

DIVISION SIX

B129722 People
 v.
 Gibson

Filed order modifying opinion. Appellant's second petition for rehearing is denied. (No change in the judgment)